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10 July 1951

MEMORANDUM FOR GENERAL SMITH

Draft executive order dated June 14, 1951 entitled REGULATIONS ESTABLISHING MINIMUM STANDARDS FOR SECURITY CLEARANCE FOR ACCESS TO CLASSIFIED INFORMATION IN THE EXECUTIVE DEPARTMENTS AND AGENCIES OF THE UNITED STATES GOVERNMENT, based on views of the Interdepartmental Committee on Internal Security member agencies as well as comments from Commerce, Civil Service, Atomic Energy, Bureau of the Budget, and CIA, was approved by the ICIS with the exception of a Department of State recommendation that employees denied clearance for access to classified information be entitled to an appeal.

In attached memorandum of 6 July Senior NSC Staff RECOMMENDS certain minor changes to this draft and invites the attention of the Council to the differing views on the "right to appeal" as described in the memorandum by the Chairman of the ICIS. (SEE TAB ICIS MEMO)

Colonel Sheffield Edwards urges that CIA continue to support the position adopted by Defense, Treasury, and Civil Service, that the right of appeal should not be granted because:

1. It is not customary to notify an employee of the results of his clearance process and an appeals system would necessitate a change.
2. It would be difficult or undesirable to document reasons for denying an employee access to certain types of classified material.
3. Denial is not necessarily connected with an employees employment status or his loyalty and these procedures should not be confused.

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EXECUTIVE OFFICE OF THE PRESIDENT  
NATIONAL SECURITY COUNCIL  
WASHINGTON

Memo  
6  
July

July 6, 1951

MEMORANDUM FOR THE NATIONAL SECURITY COUNCIL

- SUBJECT: Regulations Establishing Minimum Standards for Security Clearance for Access to Classified Information in the Executive Departments and Agencies of the United States Government.
- REFERENCES: A. Memo for NSC from Executive Secretary, same subject, dated June 20, 1951
- B. Memo for NSC from Executive Secretary, subject, "Minimum Standards for the Handling and Transmission of Classified Information", dated July 6, 1951

The Senior NSC Staff, with the assistance of senior representatives from the Departments of Justice and Commerce, the Atomic Energy Commission, the Civil Service Commission and the Bureau of the Budget, has considered the draft executive order attached to Reference A on the subject, and recommends to the National Security Council for its consideration the following changes therein:

Page 3, Part II: Place a period after "trustworthiness" and delete the remainder of the sentence.

Page 15, Part IX, second sentence: Revise the sentence to read as follows: "Denial of clearance must be made a matter of record in a similar fashion, including a statement of the reasons for such denial."

Page 16, paragraph 2 under Part XI: In the first sentence after "clearance of" insert "or denial of access to". In the second sentence after "authority to grant" insert "or deny".

General: Wherever the term "classified information" is used, revise to read "classified security information". Wherever the terms "Top Secret", "Secret", "Confidential", or "Restricted", are used, revise to read "'Top Secret' security information," "'Secret' security information," "'Confidential' security information," or "'Restricted' security information." (These changes are required to bring the subject draft executive order into conformity with the recommendations contained in Reference B).

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The Senior NSC Staff also invites the attention of the Council to the divergence of views which exists on the question of the "right of appeal," as described in the memorandum by the Chairman of the Interdepartmental Committee on Internal Security attached to Reference A.

JAMES S. LAY, Jr.  
Executive Secretary

cc: The Secretary of the Treasury  
The Attorney General  
The Secretary of Commerce  
The Director of Defense Mobilization  
The Chairman, Atomic Energy Commission  
The Chairman, Civil Service Commission  
The Director, Bureau of the Budget

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